

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

PAUL ROBERTS,

Plaintiff,

v.

ECLIPZ.IO, INC., et al.,

Defendants.

Case No. 25-cv-00306-VKD

**ORDER GRANTING STIPULATION  
RE AMENDED COMPLAINT**

**ORDER FOR REASSIGNMENT TO A  
DISTRICT JUDGE; REPORT AND  
RECOMMENDATION RE  
STIPULATION FOR REMAND TO  
STATE COURT**

Re: Dkt. Nos. 7, 8

On January 8, 2025, defendant James Rautner removed this action from the Santa Clara County Superior Court, asserting federal question jurisdiction under 28 U.S.C. § 1331 based on plaintiff Paul Roberts's claim for relief under the Racketeer Influenced and Corrupt Organizations Act ("RICO"), 18 U.S.C. §§ 1961, *et seq.* Dkt. No. 1. Messrs. Roberts and Rautner<sup>1</sup> now stipulate to the filing of an amended complaint that, among other things, disposes of Mr. Roberts's RICO claim, thereby eliminating the basis for federal subject matter jurisdiction. Dkt. No. 7. The parties further stipulate that this action shall be remanded to the state court. Dkt. No. 8.

The parties' stipulation regarding the filing of Mr. Roberts's proposed amended complaint is granted. Mr. Roberts shall file his proposed amended complaint as a separate entry on ECF by **March 19, 2025**.

The parties further stipulate to the remand of this matter to the Santa Clara County Superior Court. The parties' proposed remand order presents a dispositive matter, and absent

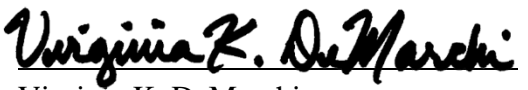
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<sup>1</sup> Although there are additional defendants, Mr. Roberts and Mr. Rautner presently are the only parties before the Court.

1 consent of all parties, this Court lacks jurisdiction to enter the proposed order. *See* 28 U.S.C.  
2 § 636(c)(1); *Williams v. King*, 875 F.3d 500 (9th Cir. 2017); *Flam v. Flam*, 788 F.3d 1043 (9th  
3 Cir. 2015). This Court recommends that upon Mr. Roberts's filing of his amended complaint, the  
4 newly assigned district judge approve the parties' stipulated request for remand to the Santa Clara  
5 County Superior Court. Any party may file objections to this recommendation within fourteen  
6 days. Fed. R. Civ. P. 72(b); Civil L.R. 72-3

7 **IT IS SO ORDERED.**

8 Dated: March 12, 2025

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11 Virginia K. DeMarchi  
12 United States Magistrate Judge  
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United States District Court  
Northern District of California